

**IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT**

United States Court of Appeals
Fifth Circuit

FILED

December 1, 2011

Lyle W. Cayce
Clerk

No. 11-20113
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

MARIO MORA GUTIERREZ, also known as Gilberto G. Mora, also known as Gregorio Lopez Mora, also known as Gilberto Gutierrez Mora, also known as Mario Gutierrez Mora, also known as Mario G. Mora,

Defendant-Appellant

Appeal from the United States District Court
for the Southern District of Texas
USDC No. 4:10-CR-651-1

Before HIGGINBOTHAM, DAVIS and ELROD, Circuit Judges.

PER CURIAM:*

The Federal Public Defender appointed to represent Mario Mora Gutierrez has moved for leave to withdraw and has filed a brief in accordance with *Anders v. California*, 386 U.S. 738 (1967), and *United States v. Flores*, 632 F.3d 229 (5th Cir. 2011). Mora Gutierrez has filed a response. We have reviewed counsel's brief and the relevant portions of the record reflected therein, as well as Mora

* Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.

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Gutierrez's response. We concur with counsel's assessment that the appeal presents no nonfrivolous issue for appellate review. Accordingly, counsel's motion for leave to withdraw is GRANTED, counsel is excused from further responsibilities herein, Mora Gutierrez's request for the appointment of new counsel is DENIED, and the APPEAL IS DISMISSED. *See* 5TH CIR. R. 42.2.